



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: Box ISSUE FEE
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

12M2/0731

NIXON & VANDERHYE
1100 NORTH GLEBE RD 8TH FLOOR
ARLINGTON VA 22201-4714

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/315,882	09/30/94	022	BOTTINO, A	1202 07/31/96
First Named Applicant				

TITLE OF INVENTION

BARRIE, SUSAN E.

17-SUBSTITUTED STEROIDS USEFUL IN CANCER TREATMENT

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 604291	514-176.000	061	UTILITY	NO	\$1250.00	10/31/96

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
- B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Notice of Allowability

Application No.

08/315,882

Applicant(s)

Barrie et al.

Examiner

Anthony Bottino

Group Art Unit

1202



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to the amendment dated 2/20/96.

☒ The allowed claim(s) is/are 3-9, 11-16, 18, 19, 21-25, 35, and 36.

☐ The drawings filed on _____ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 9

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

Mukund J. Shah
MUKUND J. SHAH
SUPERVISORY PATENT EXAMINER
GROUP 1200

Serial Number: 08/315,882
Art Unit: 1202

-2-

I. EXAMINERS AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it must be submitted no later than the payment of the Issue Fee.

In a conversation with Leonard Mitchard on 5/14/96, the following amendment to the claims was acknowledged.

On page 49 claim 24, delete on the line numbered 13 which reads "17", and insert the following in its place -- 36 --.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Bottino whose telephone number is (703) 305-6335. This Examiner can normally be reached on Monday-Friday from 9:00 AM to 5:00 PM. If this Examiner is not at his desk, please leave a message; and he will return your call as soon as possible.


The FAX phone number for this Group 1202 is (703) 308-4734. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.

Serial Number: 08/315,882
Art Unit: 1202

-3-



Anthony P. Bottino
July 30, 1996


MUKUND J. SHAH
SUPERVISORY PATENT EXAMINER
GROUP 1200

II.

REASONS FOR ALLOWANCE

Claims 3-9, 11-16, 18-19, 21-25, 35-36 are deemed allowable since the prior art neither teaches nor suggests the compounds of the claimed invention. The closest prior art, **Wicha** show a compound similar to that of the claimed invention. See Wicha compound 3, page 20. The distinguishing feature of the claimed invention is that there is a mandatory double bond at the 16,17 position, and position 14 can only be substituted with H, halogen or C₁₋₄alkyl. This renders the instant's claimed compound nonobvious since there is no suggestion within the prior art to make this modification. Applicant's response dated 7/22/96 was also considered persuasive in the allowability of the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labelled "Comments on Statements of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Bottino whose telephone number is (703) 305-6335. This Examiner can normally be reached on Monday-Friday from 9:00 AM to 5:00 PM. If this Examiner is not at his desk, please leave a message; and he will return your call as soon as possible.

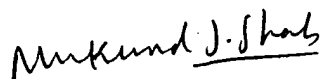
Serial Number: 08/315,882
Art Unit: 1202

-5-

The FAX phone number for this Group 1202 is (703) 308-4734. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.



Anthony P. Bottino
July 29, 1996


MUKUND J. SHAH
SUPERVISORY PATENT EXAMINER
GROUP 1200